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Application No. 09/919,742
Amendment B

REMARKS

Responsive to the Office Action mailed October 20, 2005, Applicant provides the following. Claims 2, 3, and 16 - 56 have been canceled without prejudice. Thirteen (13) claims remain pending in the application: Claims 1, and 4 - 15. Applicant acknowledges with appreciation that claims 1, 4 - 15 are indicated as allowable and that claims 17 - 21 and 36 - 37 are would be allowable if rewritten in independent form.

By way of this amendment, Applicant has made a diligent effort to place the claims in condition for allowance. However, should there remain any outstanding issues that require adverse action, it is respectfully requested that the Examiner telephone the undersigned at (858) 552-1311 so that such issues may be resolved as expeditiously as possible.

Information Disclosure Statement

1. Applicant respectfully request that the Examiner consider the references provided in the electronic IDS filed November 23, 2005 and provide Applicant with an initialed and signed copy indicating that the references were considered.

Drawings

2. The drawings are objected to under 37 C.F.R. §1.83(a) for failing to show every feature of the invention as claimed. This objection pertains to claims 16 and 35. In order to expedite allowance however, Applicant has canceled claims 16 and 35. Therefore, the objection is moot. However, Applicant respectfully traverses the objection. The drawings do support claims 16 and 35, for example, at least in Figure 14 and the description of Figure 14 where "two arrays at right angles" (see paragraph 0067 of the specification) are shown to create equal angular resolution in both the first and second directions.

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Claim Rejections - 35 U.S.C. §112

3. Claims 16, 35, 41, 48, 54, and 55 stand rejected under 35 U.S.C. § 112, second paragraph, as failing to particularly point out and distinctly claim that which Applicant regards as the invention. In order to expedite allowance however, Applicant has canceled claims 16, 35, 41, 48, 54, and 55. Therefore, the rejection is moot. However, Applicant respectfully traverses these objections. The drawings do support claims 16 and 35, for example, at least in Figure 14 and the description of Figure 14 where "two arrays at right angles" (see paragraph 0067 of the specification) are shown to create equal angular resolution in both the first and second directions.

Claim Rejections - 35 U.S.C. §102

4. Claims 16, 22 – 31, 33 – 35, 39 – 46, and 51 – 54 stand rejected under 35 U.S.C. § 102(b), as being anticipated by U.S. Patent No. 5,684,882 (Mahieux et al.). In order to expedite allowance however, Applicant has canceled claims 16, 22 – 31, 33 – 35, 39 – 46 and 51 – 54. Therefore, the rejection is moot.

However, Applicant respectfully traverses these rejections. More specifically the Mahieux et al. reference fails to teach at least "wherein a first set of microphones is configured to produce cardioid pickups in a first direction, and a second set of microphones configured to produce cardioid pickup in a second direction opposite the first direction such that the planar array establishes substantially equal angular resolution in both the first and second directions." Claim 35 includes language similar to that of claim 16. Claim 41 includes language similar to that of claim 1 which has been indicated as allowable. Therefore, claims 16, 22 – 31, 33 – 35, 39 – 46, and 51 – 54 are not anticipated by the Mahieux et al. reference.

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Claim Rejections - 35 U.S.C. §103

5. Claims 38, 49 - 50, and 55 - 56 stand rejected under 35 U.S.C. § 103(a), as being unpatentable over U.S. Patent No. 5,684,882 (Mahieux et al.) in view of U.S. Patent No. 4,741,038 (Elko et al.). In order to expedite allowance however, Applicant has canceled claims 38, 49 - 50, and 55 - 56. Therefore, the rejection is moot.

Applicant respectfully traverses these rejections. Claims 38, 49 - 50, and 56 are dependent on claims 35, 41, and 55 respectfully. Claim 55 includes one or more limitations similar to those of claim 41 that are not taught by the Mahieux et al. reference. It has been demonstrated that the Mahieux et al. reference fails to teach each limitation of the independent claims 35, 41, and 55. The Elko et al. reference also fails to teach at least those limitations not taught by Mahieux et al. Therefore, the combination does not teach each element of the claims.

Allowable Subject Matter

6a. Claims 1, and 4 - 15 are allowable.

6b. Claims 17 - 21, and 36 - 37 stand objected to as being dependent upon a rejected base claim. In order to expedite allowance however, Applicant has canceled claims 17 - 21, and 36 - 37 without prejudice. Therefore, the rejection is moot.

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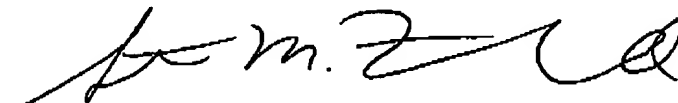
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CONCLUSION

Applicant submits that the above amendments and remarks place the pending claims in a condition for allowance. Therefore, a Notice of Allowance is respectfully requested.

Respectfully submitted,

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